

REMARKS

With reference to the Specification:

Amendment of paragraph **[0002]:**

To correct reference number

Amendment of paragraph **[0005]:**

Word spacing

Amendment of paragraph **[0014]:**

Grammar

Amendment of paragraph **[0015]:**

Past tense; and clarification of term

Amendment of paragraph **[0020]:**

Same as for paragraph **[0002]**

Amendment of paragraph **[0021]:**

To revise syntax of cumbersome expression

Amendment of paragraph **[0022]:**

Syntax

Amendment of paragraph **[0023]:**

To delete redundancy

Amendment of paragraph **[0024]:**

Same

Amendment of paragraph **[0029]**:

To clarify expression

Amendment of paragraph **[0030]**:

To supply missing reference number

Amendment of paragraph **[0031]**:

To correct, delete or supply reference numbers; to clarify; and to improve expression

Amendment of paragraph **[0033]**:

To improve expression; and to supply missing reference number

Amendment of paragraph **[0034]**:

To delete incorrect reference number; typo; and clarify expression

Amendment of paragraph **[0035]**:

To delete incorrect reference numbers; and to clarify expression

Amendment of paragraph **[0036]**:

To make term more specific

Amendment of paragraph **[0040]**:

To supply missing reference number

Amendment of paragraph **[0041]**:

Same; and to delete redundant expression

Amendment of paragraph **[0042]**:

To employ reflexive term in definitive use; to streamline otherwise cumbersome expression

Amendment of paragraph **[0046]**:

Same as paragraph **[0023]**

Amendment of paragraph **[0047]**:

To delete superfluous reference number

Amendment of paragraph **[0065]**:

Same as paragraph **[0023]**

Reorientation--separation--structure of paragraphs **[0070]** and **[0071]**:

To set paragraphs apart

Amendment of paragraph **[0074]**:

Typo; punctuation; to correct number of expression to singular;
and same as paragraph **[0023]** with reference to redundancy

Amendment of paragraph **[0079]**:

Misplaced modifying clause

Amendment of paragraph **[0085]**:

Same as paragraph **[0042]** with reference to reflexive term

Amendment of paragraph **[0087]**:

Same as paragraph **[0002]**

With reference to the Claims:

Amendment of **Claim 1**:

To comply with Examiner's directive concerning **Claim 7**, herein incorporated with limitations of original **Claim 2**, upon which **Claim 7** was dependent

Cancellation of **Claim 2**:

To incorporate it into amended **Claim 1**

Amendment of **Claim 3**:

To present as independent claim consistent with Argument herein

Retention of **Claims 4 - 6**:

To make them dependent upon amended **Claim 1** as distinguished from rejected original **Claim 1**

Cancellation of **Claim 7**:

To incorporate it into amended **Claim 1** consistent with Examiner's directive

Retention of **Claim 8**:

To make consistent with Argument herein

Cancellation of **Claim 9**:

Redundant with reference to **Claim 1**

Retention of **Claim 10**:

Same as with reference to **Claim 8**

Amendment of **Claim 11**:

To make dependent upon claim higher in the chain than canceled
Claim 9

Amendment of **Claim 12**:

Same

Amendment of **Claim 13**:

Same

Retention of **Claims 14 and 15**:

Amendment unnecessary, as already dependent upon **Claim 12**

Retention of **Claims 16 and 17**:

Amendment unnecessary, as already dependent upon **Claim 15**

Retention of **Claims 18 and 19**:

Amendment unnecessary, as already dependent upon **Claim 16**

Retention of **Claim 20**:

To present as independent claim consistent with Argument herein

ARGUMENT

Amendment herein may have made some issues moot.

THE "CHANG" REFERENCES

The Examiner rejected **Claims 3, 8 - 11, 13 and 20** as "anticipated by Chang", thus indicating a Sec. 102 Code reference. Apparently as the result of an oversight, no Patent No. was provided in the Office Action for "Chang", however. Nor was that reference included in the "Notice of References Cited". The comments concerning it are extensive and comprise matters of material impact upon the application which is the subject hereof.

Using, among a few other choices, "*Chang*" for field of "*Inventor*" and "*Exercise*" for field of matters presented in the disclosure, the undersigned found 33 patent titles among several hundred in the *Boolean Quick Search* sector of the Patent Office website which offered potential research value. None of them were pertinent. Virtually all, if not all, of the "Chang" references comprised various frameworks or treadmills, none of which incorporated stretchable cord or an exercise bar. There are occasional references to a Chinese name beginning with the letter "X", apparently as a Chinese variant of "Chang". In short, although the undersigned tried, so as to respond to the Examiner's holdings, all was to no avail. Nothing presented itself.

Had the Examiner's holdings with reference to Chang been valid, not that such is not a possibility, the claims presented in this response would have been different. As it is, Applicant cannot naively concede to cancellation of those claims.

THE "CHEN" REFERENCES

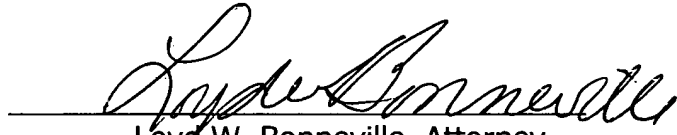
The undersigned commends the Examiner, however, for Sec. 102 insight

into the "Chen" reference, U.S. Patent No. 6,648,804. The Chen exercise bar is, in general appearance, a far cry from Applicant's but does, indeed, appear to fall within **Claims 1 and 4** of the subject matter hereof. In view of that, Applicant is prepared to amend in some manner to contravene the reference and already, despite some question about what latitude a valid "Chang" reference might offer, *supra*, some amending has already been done herein.

Applicant still has some reservation about Sec. 103(a), however, since it would appear that even considering Chen in view of Wedge, the invention disclosed herein offers considerable advantages unforeseen by Chan and Wedge contemporaries that should not be preempted by an obviousness holding. Until the "Chang" issue, *supra*, is resolved, it is not immediately clear how Applicant's claims should be arranged to overcome this one.

AMENDMENT'S EFFECT UPON THE NUMBER OF CLAIMS

The number of total claims has been reduced from 20 to 17 and the number of independent claims has been increased from two to three.


Loyd W. Bonneville, Attorney
Registration No. 35,453

Drafted by:

LOYD W. BONNEVILLE
Patent Attorney
1213 Amsterdam Ave.
Madison WI 53716
PH: (608) 222-7535
FAX: (608) 223-1018